

Sec.

- (b) Tissue analysis.
- (c) Data base.
- (d) Access.

1421g. Authorization of appropriations.  
1421h. Definitions.

## CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 1543, 1881, 1881a, 1881b, 2407, 2408, 3125 of this title; title 10 section 7524.

## SUBCHAPTER I—GENERALLY

**§ 1361. Congressional findings and declaration of policy**

The Congress finds that—

(1) certain species and population stocks of marine mammals are, or may be, in danger of extinction or depletion as a result of man's activities;

(2) such species and population stocks should not be permitted to diminish beyond the point at which they cease to be a significant functioning element in the ecosystem of which they are a part, and, consistent with this major objective, they should not be permitted to diminish below their optimum sustainable population. Further measures should be immediately taken to replenish any species or population stock which has already diminished below that population. In particular, efforts should be made to protect essential habitats, including the rookeries, mating grounds, and areas of similar significance for each species of marine mammal from the adverse effect of man's actions;

(3) there is inadequate knowledge of the ecology and population dynamics of such marine mammals and of the factors which bear upon their ability to reproduce themselves successfully;

(4) negotiations should be undertaken immediately to encourage the development of international arrangements for research on, and conservation of, all marine mammals;

(5) marine mammals and marine mammal products either—

(A) move in interstate commerce, or

(B) affect the balance of marine ecosystems in a manner which is important to other animals and animal products which move in interstate commerce,

and that the protection and conservation of marine mammals and their habitats is therefore necessary to insure the continuing availability of those products which move in interstate commerce; and

(6) marine mammals have proven themselves to be resources of great international significance, esthetic and recreational as well as economic, and it is the sense of the Congress that they should be protected and encouraged to develop to the greatest extent feasible commensurate with sound policies of resource management and that the primary objective of their management should be to maintain the health and stability of the marine ecosystem. Whenever consistent with this primary objective, it should be the goal to obtain an optimum sustainable population keeping in mind the carrying capacity of the habitat.

(Pub. L. 92-522, §2, Oct. 21, 1972, 86 Stat. 1027; Pub. L. 97-58, §1(b)(1), Oct. 9, 1981, 95 Stat. 979; Pub. L. 103-238, §3, Apr. 30, 1994, 108 Stat. 532.)

## AMENDMENTS

1994—Par. (2). Pub. L. 103-238, §3(1), inserted “essential habitats, including” after “made to protect”.

Par. (5). Pub. L. 103-238, §3(2), inserted “and their habitats” before “is therefore necessary” in concluding provisions.

1981—Par. (6). Pub. L. 97-58 substituted “carrying capacity” for “optimum carrying capacity”.

## EFFECTIVE DATE

Section 4 of Pub. L. 92-522 provided that: “The provisions of this Act [enacting this chapter] shall take effect upon the expiration of the sixty-day period following the date of its enactment [Oct. 21, 1972].”

## SHORT TITLE OF 1997 AMENDMENT

Pub. L. 105-42, §1(a), Aug. 15, 1997, 111 Stat. 1122, provided that: “This Act [enacting sections 962, 1412, 1413, 1414a to 1416 of this title, amending sections 952, 953, 1362, 1371, 1374, 1378, 1380, 1385, 1411, and 1417 of this title, repealing sections 1412 to 1416 and 1418 of this title, and enacting provisions set out as notes under this section and section 1362 of this title] may be cited as the ‘International Dolphin Conservation Program Act’.”

## SHORT TITLE OF 1994 AMENDMENT

Section 1 of Pub. L. 103-238 provided that: “This Act [enacting sections 1386 to 1389 of this title, amending this section and sections 1362, 1371, 1372, 1374, 1375, 1379, 1380, 1382 to 1384, 1407, 1421 to 1421h, and 4107 of this title, repealing sections 1384 and 1407 of this title, and enacting provisions set out as notes under this section and sections 1362, 1374, 1538, and 1539 of this title] may be cited as the ‘Marine Mammal Protection Act Amendments of 1994’.”

## SHORT TITLE OF 1992 AMENDMENTS

Pub. L. 102-587, title III, §3001, Nov. 4, 1992, 106 Stat. 5059, provided that: “This title [enacting subchapter V of this chapter, amending sections 1362, 1372, 1379, and 1382 of this title and section 183c of Title 46, Appendix, Shipping, and enacting provisions set out as notes under sections 1421 and 1421a of this title] may be cited as the ‘Marine Mammal Health and Stranding Response Act’.”

Pub. L. 102-523, §1, Oct. 26, 1992, 106 Stat. 3425, provided that: “This Act [enacting subchapter IV of this chapter and amending sections 952, 953, 973r, and 1362 of this title] may be cited as the ‘International Dolphin Conservation Act of 1992’.”

## SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-711, §1, Nov. 23, 1988, 102 Stat. 4755, provided: “That this Act [enacting sections 1383a and 1383b of this title, amending sections 1166, 1371, 1372, 1374, 1378 to 1380, 1384, 1402, and 1407 of this title and section 1978 of Title 22, Foreign Relations and Intercourse, enacting provisions set out as a note under this section, and amending provisions set out as a note under section 1384 of this title] may be cited as the ‘Marine Mammal Protection Act Amendments of 1988’.”

## SHORT TITLE

Section 1 of Pub. L. 92-522 provided in part that: “This Act [enacting this chapter] may be cited as the ‘Marine Mammal Protection Act of 1972’.”

## REGULATIONS

Section 15(b) of Pub. L. 103-238 provided that: “Except as provided otherwise in this Act [see Short Title of 1994 Amendment note above], or the amendments to the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361